

MEETINGS TO DATE 25
NO. OF REGULARS 14
NO. OF SPECIALS 11

LANCASTER, NEW YORK
August 6, 1990

A joint meeting of the Town Board and the Planning Board of the Town of Lancaster, New York, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 6th day of August, 1990, at 6:45 P.M. and there were

PRESENT: STANLEY JAY KEYSA, SUPERVISOR
ROBERT H. GIZA, COUNCILMAN
DONALD E. KWAK, COUNCILMAN
JOHN T. MILLER, COUNCILMAN
MILDRED WHITTAKER, PLANNING BOARD MEMBER
JOHN P. GOBER, PLANNING BOARD MEMBER
GEORGE E. O'NEIL, PLANNING BOARD MEMBER
MELVIN H. SZYMANSKI, PLANNING BOARD MEMBER

ABSENT: RONALD A. CZAPLA, COUNCILMAN
DONNA STEMPIAK, PLANNING BOARD CHAIRMAN
ANTHONY FRANJOINE, PLANNING BOARD MEMBER
JOHNSTON N. REID, JR., PLANNING BOARD MEMBER

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
NICHOLAS LO CICERO, DEP. TOWN ATTORNEY
ROBERT L. LANEY, BUILDING INSPECTOR

PURPOSE OF MEETING:

This joint meeting of the Town Board and Planning Board of the Town of Lancaster was held for the purpose of acting as a Municipal Review Committee for a State Environmental Quality Review of two actions.

IN THE MATTER OF THE RE-OPENED SEQR REVIEW OF THE
PROPOSED THRUWAY INDUSTRIAL PARK

The joint board then proceeded with a re-opened Environmental Assessment on the proposed Thruway Industrial Park matter with an item for item review and discussion of the project impact and magnitude as outlined on an Full Environmental Assessment Form Part 2 which was provided to each member. The Review Committee previously adopted a conditional negative declaration on this matter on June 18, 1990, however, the State DEC advised the Town Attorney that the conditional negative declaration was not acceptable. A re-opening of this matter is therefore necessary.

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THE FOLLOWING RESOLUTION WAS OFFERED
BY PLANNING BOARD MEMBER SZYMANSKI
WHO MOVED ITS ADOPTION, SECONDED BY
COUNCILMAN MILLER, TO WIT:

RESOLVED, that the following Negative Declaration be adopted:

**NOTICE OF DETERMINATION
PROPOSED THRUWAY INDUSTRIAL PARK
NEGATIVE DECLARATION**

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is a Type 1 action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact, the lead agency, now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law.

NAME AND ADDRESS OF LEAD AGENCY

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Nicholas LoCicero, Deputy Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 18 acres.

The location of the premises being reviewed is on Gunville Road, south of Wehrle Drive.

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found the proposed action impacts to be as follows:

1. The proposed action will result in a small to moderate physical change to the project site.
2. The proposed action will not effect any unique or unusual land forms found on the site.
3. The proposed action will not affect any water body designated as protected.
4. The proposed action will not affect any non-protected existing or new body of water.

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5. The proposed action will have a small to moderate affect upon surface or ground water quality or quantity. The drainage system will require injection wells, catch basins and multiple detention basins on each site as developed.
6. The proposed action will have a small to moderate affect upon drainage flow patterns or surface water runoff.
7. The proposed action will not affect air quality.
8. The proposed action will not affect any threatened or endangered species.
9. The proposed action will not substantially affect non-threatened or endangered species.
10. The proposed action will not affect agricultural land resources.
11. The proposed action will have a small to moderate affect on aesthetic resources. Study by Ward and Miller notes findings in east two acres. Will need to restrict activity on east two acres pending further studies.
12. The proposed action will not impact any site or structure of historic, pre-historic or paleontological importance.
13. The proposed action will not affect the quantity or quality of existing or future open spaces or recreational opportunities.
14. The proposed action will have a small to moderate effect on existing transportation systems.
15. The proposed action will have a small to moderate affect on the community's sources of fuel or energy supply.
16. There will be small to moderate objectional odors, noise, or vibration as a result of this proposed action during construction only.
17. The proposed action will have a small to moderate affect on public health and safety.
18. The proposed action will not affect the character of the existing community.
19. There is not, or is there likely to be, public controversy related to potential adverse environmental impacts.

S/S _____
Stanley Jay Keysa, Supervisor
Town of Lancaster

August 6, 1990

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and,

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

BE IT FURTHER

RESOLVED, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote on roll call which resulted as follows:

SUPERVISOR KEYSA	VOTED YES
COUNCILMAN GIZA	VOTED YES
COUNCILMAN CZAPLA	WAS ABSENT
COUNCILMAN KWAK	VOTED YES
COUNCILMAN MILLER	VOTED YES
PLANNING BOARD CHAIR. STEMPIAK	WAS ABSENT
PLANNING BOARD MEMBER FRANJOINE	WAS ABSENT
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER O'NEIL	VOTED YES
PLANNING BOARD MEMBER REID	WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD MEMBER WHITTAKER	VOTED YES

The Notice of Determination was thereupon unanimously adopted.
August 6, 1990

**IN THE MATTER OF THE SEQR REVIEW OF THE
PROPOSED WEST WARNER ESTATES SUBDIVISION**

The joint boards proceeded with the short Environmental Assessment Form on the proposed West Warner Estate Subdivision matter with an item for item review and discussion of the project impact and magnitude as outlined on the Short Environmental Assessment Form, entitled "Part II Environmental Assessment", which was provided to each member.

THE FOLLOWING RESOLUTION WAS OFFERED BY
BY COUNCILMAN KWAK WHO MOVED ITS
ADOPTION, SECONDED BY COUNCILMAN
MILLER, TO WIT:

RESOLVED, that the following Negative Declaration be adopted.

**NOTICE OF DETERMINATION:
WEST WARNER ESTATES SUBDIVISION
NEGATIVE DECLARATION**

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Page 666

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is an unlisted action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact, the lead agency, now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law.

NAME AND ADDRESS OF LEAD AGENCY

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Nicholas LoCicero, Deputy Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately four acres. The location of the premises being reviewed is on the west side of Warner Road at Pleasant View Drive.

REASONS SUPPORTING DETERMINATION

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found, in their item for item completion of the Short Environmental Assessment Form on this proposed action as follows:

- A. The action does not exceed any type 1 threshold in 6 NYCRR, Part 617.12.
- B. The action will receive coordinated review as provided for unlisted actions in 6 NYCRR, Part 617.6.
- C. The proposed action will not result in any adverse effects associated with the following: (except as noted)
 - C.1 Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems.

No adverse effects noted. There will be modest noise and dirt during construction. Drainage will go along Warner Road to existing detention basin. Petitioner's engineer must certify drainage calculations as to capacity of drainage basin.

- C.2 Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character.

No adverse effects noted. Archaeological clearance letter submitted.

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C.3 Vegetation or fauna, fish, shellfish or wildlife species significant habitats, or threatened or endangered species.

No adverse effects noted

C.4 A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources.

No adverse effects noted

C.5 Growth, subsequent development, or related activities likely to be induced by the proposed action.

No adverse effects noted

C.6 Long term, short term, cumulative, or other effects not identified in C1-C5.

No adverse effects noted

C.7 Other impacts (including changes in use of either quantity or type of energy.

No adverse effects noted

D. There is not, nor is there likely to be, controversy related to potential adverse environmental impacts.

s/s _____
Stanley Jay Keysa, Supervisor

Town of Lancaster

August 6, 1990

and,

BE IT FURTHER

RESOLVED, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

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The question of the adoption of the foregoing Notice of Determination was duly put to a vote on roll call which resulted as follows:

SUPERVISOR KEYSA	VOTED YES
COUNCILMAN GIZA	VOTED YES
COUNCILMAN CZAPLA	WAS ABSENT
COUNCILMAN KWAK	VOTED YES
COUNCILMAN MILLER	VOTED YES
PLANNING BOARD CHAIR. STEMPNIAK	WAS ABSENT
PLANNING BOARD MEMBER FRANJOINE	WAS ABSENT
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER O'NEIL	VOTED YES
PLANNING BOARD MEMBER REID	WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD MEMBER WHITTAKER	VOTED YES

The Notice of Determination was thereupon unanimously adopted.

August 6, 1990

ON MOTION DULY MADE, SECONDED AND CARRIED, by voice vote, the joint meeting was adjourned at 7:45 P.M.

Signed Robert P. Thill
Robert P. Thill, Town Clerk

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MEETINGS TO DATE 26
NO. OF REGULARS 15
NO. OF SPECIALS 11

LANCASTER, NEW YORK
AUGUST 6, 1990

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 6th day of August 1990 at 8:00 P.M. and there were

PRESENT: ROBERT H. GIZA, COUNCILMAN
DONALD E. KWAK, COUNCILMAN
JOHN T. MILLER, COUNCILMAN
STANLEY JAY KEYSA, SUPERVISOR

ABSENT: RONALD A. CZAPLA, COUNCILMAN

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
RICHARD SHERWOOD, TOWN ATTORNEY
NICHOLAS LO CICERO, DEPUTY TOWN ATTORNEY
BRUCE SHEARER, TOWN ENGINEER
ROBERT L. LANEY, BUILDING INSPECTOR
THOMAS E. FOWLER, CHIEF OF POLICE

PUBLIC HEARING SCHEDULED FOR 8:10 P.M.:

At 8:10 P.M., the Town Board held a Public Hearing to hear all interested persons upon the proposed addition of B (1)(n) to Section 19 of Chapter 50, "Zoning", of the Code of the Town of Lancaster.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

PROPOSERS

None

OPPOSERS

None

OPPOSERS

None

QUESTIONS

None

ON MOTION BY COUNCILMAN MILLER, AND SECONDED BY COUNCILMAN GIZA AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:15 P.M.

The Town Board later in the meeting adopted a resolution, hereinafter spread at length in these minutes, taking favorable action upon this matter.

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PUBLIC HEARING SCHEDULED FOR 8:20 P.M.:

At 8:20 P.M., the Town Board held a Public Hearing to hear all interested persons upon the proposed rezone petition of Marinaccio Concrete and Trucking for property situate on the east side of Ransom Road, approximately 1326 feet south of Walden Avenue, from a LI, Light Industrial District to a GI, General Industrial District.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

The Town Clerk presented copies of letters which were mailed to the Petitioner and the Erie County Division of Planning notifying them of the time and place of this Public Hearing.

The Town Clerk presented a letter from the Town of Lancaster Planning Board to the Town Board recommending denial of the proposed rezone.

PROPOSERS

Paul Marinaccio
Carmen Marinaccio
Harold Hess

ADDRESS

5050 Genesee Street
5050 Genesee Street
5610 Walden Avenue

OPPOSERS

Michael Chernowski
John Suchy
Terry Bowman
Judy Davern
Anthony Marciniak

ADDRESS

4604 Walden Avenue
4572 Walden Avenue
4600 Walden Avenue
4580 Walden Avenue
4608 Walden Avenue

COMMENTS ONLY

None

QUESTIONS ONLY

None

ON MOTION BY COUNCILMAN GIZA, AND SECONDED BY COUNCILMAN KWAK AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:55 P.M.

The Supervisor informed those present that the Town Board would reserve decision on this matter.

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THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

RESOLVED, that the minutes from the Regular Meeting of the Town
Board, held on July 16, 1990, be and hereby are approved.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA WAS ABSENT
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 6, 1990

File: R.MIN (P1)

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN MILLER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

WHEREAS, the Town of Lancaster has heretofore entered into a contract with Ecology and Environment to furnish emergency response personnel and technical experts for consultation with the Combined Hazmat Team at Lancaster, New York, with regard to any occurrence posing a possibility of imminent harm to persons, property or the environment, which contract expired according to its terms, on July 27, 1990, and

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest and safety to renew said Agreement with Ecology and Environment to provide the aforementioned service to the Combined Hazmat Team in accordance with the Agreement as proposed by said Ecology and Environment, Inc. and incorporated herein by reference;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor to execute a one-year Agreement with Ecology and Environment for the sum of \$2,500.00 to provide the services above mentioned.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA WAS ABSENT

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 6, 1990

FILE: R.HZMT.ECOL.ENV.

25 X

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THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN MILLER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, Article 5-G of the General Municipal Law of the State of
New York authorizes cooperative inter-municipal agreements, and

WHEREAS, the Town of Lancaster has heretofore entered into an
Agreement with the Town of Cheektowaga for disposal of dead dogs, which
Agreement expires August 31, 1990, and

WHEREAS, by letter dated August 3, 1990, the Town of Cheektowaga has
tendered a 3-Year Agreement for the disposal of dead dogs, which increases the
fee from \$7.50 to \$8.00 per dog disposed of for the duration of this
agreement,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby directed to execute
a 3-Year Agreement, commencing September 1, 1990, between the Town of
Lancaster and the Town of Cheektowaga for the disposition of dead dogs of the
Town of Lancaster at the Cheektowaga facility, for a fee of \$8.00 per dog
disposed of for the duration of this Agreement.

The question of the adoption of the foregoing resolution
was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA WAS ABSENT

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 6, 1990

File: R.Disposal of Dead Dogs

32X

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has deemed it in the public interest to approve the issuance of a public improvement permit to Josela Enterprises, Inc., for the construction of a water line from Aurora Street west through "Southpoint" Subdivision to "Forestream" Subdivision, which will provide increased water flow and pressure to "Southpoint" subdivision, and

WHEREAS, Josela Enterprises has entered into an indemnification agreement to hold the town harmless from any claim arising from the construction or existence of the water line, and

WHEREAS, the Town Board desires to have the Erie County Water Authority include this water line in the lease-management agreement between the Town and Erie County Water Authority, and

WHEREAS, the Erie County Water Authority will accept this line as part of the Lease-Management Agreement on the condition that the Town sign a separate agreement with the Water Authority indemnifying and holding harmless the Water Authority with respect to this line;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby agrees to execute an agreement with the Erie County Water Authority regarding the aforementioned water line.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA WAS ABSENT
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 6, 1990

File: R.AUTH.AGRMT.ECWA..STHPT.SUBD.

15 X

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THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, KEITH A. WILKINSON, SR., 5360 Genesee Street, Bowmansville, Lancaster, New York 14026, has petitioned the Town Board of the Town of Lancaster for the rezone of certain on the north side of Genesee Street, Bowmansville, New York in the Town of Lancaster, from an RCO-Residential Commercial Office District to an MFR-4 Multi-family District Four, said property being approximately 4.7+ acres, which property is more particularly described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Lancaster, County of Erie, State of New York, being part of Lots 5 and 7, Section 12, Township 11, Range 6 of the Holland Land Company's Survey and more particularly bounded and described as follows:

BEGINNING, at a point located on the northerly highway boundary of Genesee Street said point being 1,055.34 feet westerly from the westerly highway boundary of Martha Road (50.0 feet wide) as measured along the northerly highway boundary of Genesee Street; thence continuing westerly along the northerly boundary of Genesee Street, a distance of 224.23 feet; thence northerly at an interior angle of 90°-58'-56", a distance of 155.72 feet; thence northwesterly at an exterior angle of 124°-01'-54", a distance of 212.82 feet; thence northerly at an interior angle of 108°-47'-31", a distance of 220.37 feet; thence easterly at an interior angle of 87°-59'-48", a distance of 134.93 feet; thence southerly at right angles a distance of 40.0 feet; thence easterly at right angles a distance of 20.0 feet; thence northerly at right angles a distance of 40.0 feet; thence easterly at right angles a distance of 170.0 feet, thence easterly at an interior angle of 195°-33'-26", distance of 464.25 feet; thence southerly at an interior angle of 63°-56'-16", a distance of 198.16 feet; thence westerly at an interior angle of 114°-46'-54" a distance of 327.76 feet; thence southerly at an exterior angle of 90°-07'-01", a distance of 231.0 feet to the place or point of beginning. Containing 4.645+.

and

WHEREAS, the Town of Lancaster Planning Board and Planning Consultant have reviewed the rezone petition and recommended approval subject to certain conditions, and

WHEREAS, a Public Hearing was held on the 18th day of December, 1989 at 8:30 o'clock P.M., Local Time, and

WHEREAS, full opportunity to be heard was given to any and all citizens and all parties in interest, and

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WHEREAS, a review of the petition and report of the Planning Board and Planning Consultant, and the evidence adduced at said public hearing, and the Master Plan and Zoning Map of the Town of Lancaster, reveals the following facts:

- (1) That the property is currently zoned RCO - Residential-Commercial-Office;
- (2) That the property is surrounded by RCO-Residential-Commercial-Office zoning;
- (3) That the use requested by the Petitioner is a residential use;
- (4) That the RCO-Residential-Commercial-Office zoning now in place would permit office buildings, banks or funeral parlors, etc., therefore, the rezone would be consistent with residential development.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Ordinance and Zoning Map of the Town of Lancaster is hereby amended and changed to provide that the premises herein previously described and petitioned and to be rezoned shall be rezoned from an RCO-Residential-Commercial-Office District to an MFR4-Multi-Family District Four zoning, subject to the following conditions imposed upon the rezone of the property:

- (1) That the number of units be limited to fifty-one (51) in total and no more than eleven (11) per acre;
- (2) That the development shall be limited to townhouses for sale or condominiums for sale;
- (3) There will be no structures permitted more than two stories high;
- (4) Suitable green landscaping and at least a three-foot berm shall be installed on the south side of the garage area facing Genesee Street and suitable green landscaping on the perimeter of the proposed community building and pool;
- (5) Parking areas will be paved with asphalt or concrete or paving bricks or other materials of similar dust-free quality;
- (6) All topsoil shall remain on site until its removal is approved by the Town Building Inspector;
- (7) Unless specifically modified by reference in this document, no sections of the Lancaster Town Code are deemed waived by this document;
- (8) That the developer convey a 15-foot wide permanent drainage easement to the Town of Lancaster at a location to be specified during site plan approval.

and,

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BE IT FURTHER

RESOLVED, as follows:

1. That said amendment to the Zoning Ordinance be added in the minutes of the meeting of the Town Board of the Town of Lancaster, held on the 6th day of August, 1990;
2. That a certified copy thereof be published in the Lancaster Bee, on August 9, 1990, in form attached hereto and made a part hereof;
3. That the Affidavit of Publication be filed with the Town Clerk;
4. That a certified copy of this resolution be furnished to the Erie County Department of Planning.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA WAS ABSENT
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 6, 1990

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**LEGAL NOTICE
NOTICE OF ADOPTION
AMENDMENT TO ZONING ORDINANCE
TOWN OF LANCASTER**

The Zoning Ordinance of the Town of Lancaster is hereby amended and the Zoning Map of the said Town is hereby changed so that the real property hereinafter described is changed from an RCO-Residential Commercial Office District to an MFR-4 Multi-family District Four, subject to the following conditions imposed upon the rezone of the property:

- (1) That the number of units be limited to fifty-one (51) in total and no more than eleven (11) per acre;
- (2) That the development shall be limited to townhouses for sale or condominiums for sale;
- (3) There will be no structures permitted more than two stories high;
- (4) Suitable green landscaping and at least a three-foot berm shall be installed on the south side of the garage area facing Genesee Street and suitable green landscaping on the perimeter of the proposed community building and pool;
- (5) Parking areas will be paved with asphalt or concrete or paving bricks or other materials of similar dust-free quality;
- (6) All topsoil shall remain on site until its removal is approved by the Town Building Inspector;
- (7) Unless specifically modified by reference in this document, no sections of the Lancaster Town Code are deemed waived by this document.
- (8) That the developer convey a 15-foot wide permanent drainage easement to the Town of Lancaster at a location to be specified during site plan approval.

Said property is described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Lancaster, County of Erie, State of New York, being part of Lots 5 and 7, Section 12, Township 11, Range 6 of the Holland Land Company's Survey and more particularly bounded and described as follows:

32X1

BEGINNING at a point located on the northerly highway boundary of Genesee Street, said point being 1,055.34 feet westerly from the westerly highway boundary of Martha Road (50.0 feet wide) as measured along the northerly highway boundary of Genesee Street; thence continuing westerly along the northerly highway boundary of Genesee Street, a distance of 224.23 feet; thence northerly at an interior angle of 90°-58'-56", a distance of 155.72 feet; thence northwesterly at an exterior angle of 124°-01'-54", a distance of 212.82 feet; thence northerly at an interior angle of 108°-47'-31" a distance of 220.37 feet; thence easterly at an interior angle of 87°-59'-48", a distance of 134.93 feet; thence southerly at right angles a distance of 40.0 feet; thence easterly at right angles a distance of 20.0 feet; thence northerly at right angles a distance of 40.0 feet; thence easterly at right angles a distance of 170.0 feet; thence easterly at an interior angle of 195°-33'-26", a distance of 464.25 feet; thence southerly at an interior angle of 63°-56'-16", a distance of 198.16 feet; thence westerly at interior angle of 114°-46'-54", a distance of 327.76 feet; thence southerly at an exterior angle of 90°-07'-01", a distance of 231.0 feet to the place or point of beginning. Containing 4.645± acres.

STATE OF NEW YORK:
COUNTY OF ERIE : ss:
TOWN OF LANCASTER:

This is to certify that I, ROBERT P. THILL, Town Clerk and Registrar of Vital Statistics of the Town of Lancaster in the said County of Erie, have compared the foregoing copy of Amendment to Chapter 50 Zoning, of the Code of the Town of Lancaster, with the original thereof filed in my office at Lancaster, New York, on the 6th day of August, 1990, and that the same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town, this 6th day of August, 1990.

Robert P. Thill
Town Clerk and Registrar of Vital Statistics

32X

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN MILLER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster provide for the adoption and enactment of Local Laws, and

WHEREAS, after review and consideration, the Town Board of the Town of Lancaster deems it in the public interest to enact Local Law No. 2 of the Year 1990, entitled "REFUSE & GARBAGE - HOURS OF COLLECTION", and further designated as Chapter 25 of the Code of the Town of Lancaster, by the addition of Article II to said Chapter 25 as Local Law No. 2 of the Year 1990, which reads as follows:

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PROPOSED
LOCAL LAW NO. 2
1990
REFUSE & GARBAGE - HOURS OF COLLECTION
HOURS OF COLLECTION

CHAPTER 25
GARBAGE, RUBBISH & REFUSE

ARTICLE II

Refuse and Garbage - Hours of Collection

- \$25-5. Legislative authority; title.
- \$25-6. Definitions.
- \$25-7. Hours of Collection.
- \$25-8. When effective.

ARTICLE II

Refuse and Garbage - Hours of Collection

- \$25-5. Legislative authority; title.
"Refuse and garbage - Hours of Collection.
- \$25-6. Definitions.
Residential District - as defined in the Zoning Ordinance of the Town of Lancaster.
- \$25-7. Hours of Collection.
Collection of garbage, rubbish and refuse by private collectors under contract with property owners or businesses in the Town of Lancaster for premises which are cited (1) within a residential district, or (2) within 500 feet of any residential district shall occur only between the hours of 7:00 a.m. and 6:00 p.m.
- \$25-8. When effective.
This local law shall take effect after mailing, filing and publication as required by law.

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That pursuant to the Municipal Home Rule of the State of New York and Chapter 26 of the Code of the Town of Lancaster, a Public Hearing on the proposed Local Law No. 2 of the Year 1990, entitled "REFUSE & GARBAGE-HOURS OF COLLECTION", and further designated as Chapter 25 of the Code of the Town of Lancaster, Garbage Rubbish & Refuse, Article II, will be held in the Town Hall, 21 Central Avenue, Lancaster, New York at 9:00 o'clock P.M., Local Time, on the 20th day of August, 1990, and that Notice of the time and place of such Hearing shall be published on August 9, 1990, in the Lancaster Bee, being a newspaper of general circulation in said Town and posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof, and

2. That the Town Clerk is hereby directed to make copies of the proposed Local Law No. 2 of the Year 1990, entitled "REFUSE, & GARBAGE - HOURS OF COLLECTION, ARTICLE II", for inspection by and distribution to any person during business hours.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA WAS ABSENT

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 6, 1990

32X

LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster and pursuant to a resolution of the Town Board of the Town of Lancaster adopted on the 6th day of August, 1990, the said Town Board will hold a Public Hearing on the 20th day of August, 1990, at 9:00 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the proposed Local Law No. 2 of the Year 1990 entitled "REFUSE & GARBAGE - HOURS OF COLLECTION", and further designated as Chapter 25 of the Code of the said Town, by the addition of Article II to said Chapter 25 as Local Law No. 2 of the Year 1990, briefly described as follows:

"A Local Law to regulate the hours of collection of garbage, rubbish and refuse by private collectors under contract with property owners or businesses for premises in or near residential districts in the Town of Lancaster."

A complete copy of the proposed Local Law No. 2 of the Year 1990, entitled "Refuse and Garbage - Hours of Collection, Article II" under Chapter 25, Garbage, Rubbish and Refuse, of the Code of the Town of Lancaster, is available at the office of the Town Clerk for inspection and distribution to any person during business hours.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE
TOWN OF LANCASTER

BY; ROBERT P. THILL
Town Clerk

August 6, 1990

File: R..LOC.LAW.NO.2.YR.90.SET.HRG.

25 X

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCILMAN KWAK, WHO MOVED
 ITS ADOPTION, SECONDED BY COUNCILMAN
 GIZA, TO WIT:

WHEREAS, the Town Clerk has indicated by letter dated July 24, 1990 that the Town of Lancaster is to receive a Records Management Grant in the amount of \$30,286.00 from the New York State Archives and Records Administration, and

WHEREAS, this grant will be expended, as outlined in his letter, to hire temporary file clerks and on various contractual expenses, for which no appropriation currently exists in the 1990 adopted budget of the Town of Lancaster,

NOW, THEREFORE,

BE IT RESOLVED that the following amendment to the 1990 Adopted Budget is hereby approved:

GENERAL FUND

<u>Acct No.</u>	<u>Account Name</u>	<u>Increase</u>
<u>General Ledger Accounts</u>		
A510	Estimated Revenues	\$30,286
A960	Budget Appropriations	30,286
<u>Subsidiary Ledger Accounts - Revenues</u>		
A3060	State Aid for Records Management	30,286
<u>Subsidiary Ledger Accounts - Appropriations</u>		
A1460.103	Records Management - Personal Services - Temporary Clerks	14,467
A1460.401	Records Management - Contractual Expenses - Office Supplies	3,492
A1460.411	Records Management - Contractual Expenses - Contracts	12,327

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA WAS ABSENT
 COUNCILMAN GIZA VOTED YES
 COUNCILMAN KWAK VOTED YES
 COUNCILMAN MILLER VOTED YES
 SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 6, 1990

File: R.ACC.TRNS

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR KEYSA , WHO MOVED
ITS ADOPTION, SECONDED BY THE ENTIRE
TOWN BOARD , TO WIT:

WHEREAS, legislation has been introduced in the New York State Senate under Senate Bill 7956 and Assembly Bill 11637 which will provide an alternative to the "fifty percent rule" currently used for amortizing general obligation bonds, and

WHEREAS, the beforementioned "fifty percent rule" was added to the New York State Constitution when interest rates were at 1% and 2%, which is not reflective of the interest rates faced by municipalities at this time, and

WHEREAS, the Town Board of the Town of Lancaster has thoroughly reviewed the proposed alternative to the present rule;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby endorses the proposed amendment to the New York State Constitution which is contained in Senate Bill 7956 and Assembly Bill 11637 which will allow municipalities to elect an alternative formula for amortizing municipal bonds to provide for a substantially level debt service payments for the economic life of the project being financed, and

BE IT FURTHER

RESOLVED, that the Town Board of the Town of Lancaster hereby memorializes New York State Senator Dale M. Volker and New York State Assemblyman Vincent J. Graber, to support the before referenced legislation to amend the New York State Constitution.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA WAS ABSENT
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 6, 1990

File: R.STATE.LEGISLATION

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA, TO WIT:

WHEREAS, the Executive Director of the Youth Bureau of the Town of Lancaster, by letter dated July 26, 1990, has requested that Robert Smith, Youth Counselor, be compensated for conducting the orchestra for the Youth Bureau's Summer Theater Workshop Performances, and

WHEREAS, the Youth Bureau has extra funds due to a current vacancy on the staff,

NOW, THEREFORE, BE IT

RESOLVED, that ROBERT J. SMITH be and is hereby compensated in the amount of \$400.00 for conducting the orchestra for the Youth Bureau's Summer Theater Workshop performances.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA WAS ABSENT

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 6, 1990

File: R.BLANK

15 X

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has deemed it in the public interest to approve issuance of a public improvement permit to Josela Enterprises, Inc. for the construction of a water line from Aurora Street west through "Southpoint" Subdivision to "Forestream" Subdivision, which will provide increased flow and pressure to the "Southpoint" Subdivision, and

WHEREAS, Josela Enterprises, Inc., has offered to enter into an indemnification agreement to hold the town harmless from any claim arising from the construction or existence of the water line, and

WHEREAS, the Town Board desires to have the Erie County Water Authority include this water line in the lease-management agreement between the Town and the Erie County Water Authority, and

WHEREAS, the Erie County Water Authority will accept this line as part of the lease-management agreement on the condition that the Town sign a separate Agreement with the Water Authority indemnifying and holding harmless the Water Authority with respect to this line:

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to execute an agreement with Josela Enterprises, Inc. regarding the aforementioned water line.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA WAS ABSENT
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 6, 1990

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

WHEREAS, DONALD GALLO, Consulting Engineer, has submitted a contract proposal dated July 23, 1990, for engineering services for construction of restrooms and storage building at Twin District Fire Hall at 4999 William Street, in the Town of Lancaster in the sum of \$1,600.00, for use of the playground by the Town Recreation Department for the summer recreation program, and

WHEREAS, the Town Board has deems it in the public interest to enter into a contract with said Donald Gallo on the terms outlined in his proposal dated July 23, 1990, and

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to enter into a contract with DONALD GALLO, Consulting Engineer, for engineering services relative to the construction of restrooms and storage building at Twin District Fire Hall, pursuant to terms and conditions of contract, for use of the playground by the Town Recreation Department for the Town's summer recreation program, and

BE IT FURTHER

RESOLVED, that the Town Board hereby appropriates funds in the amount of \$1,600.00 from the Recreational Filing Fees held in the Trust and Agency Account to cover cost of said services.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA WAS ABSENT
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 6, 1990

15 x 1

32 x 1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN MILLER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Town Consulting Engineers, Krehbiel Associates, Inc.,
has advised the Town that there is a need to address problems occurring
relative to the loss of pavement support base in subdivisions where direct
tie-in of lot drains is made at sites in three of the new subdivisions to the
curb underdrain following completion of pavement and curbs, and

WHEREAS, the Town Consulting Engineer has recommended that the
specification standards for the tie-in of lot drains to curb underdrain be
amended to correct the potential for loss of pavement support base;

NOW, THEREFORE, BE IT

RESOLVED, that the specification standards for storm drainage
systems be amended to reflect the proposed recommendation by Bruce L. Shearer,
of the Town's Consulting Engineers, Krehbiel Associates, Inc., as recited in
his letter dated July 16, 1990 to the Town Board, and will be effective for
any public improvement to be constructed under permit by the Town of Lancaster
and will apply retroactively to those public improvements for which permits
have been issued but not yet constructed, and

BE IT FURTHER

RESOLVED, that the Town Engineer immediately notify all developers
which have been issued P.I.P.'s of the amendment to the specifications.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA WAS ABSENT
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 6, 1990

File: R.AMD.SPEC.STNDRDS.SUBDVS.

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, a Public Hearing was held on the day of 6th day of August, 1990, for the purpose of amending a portion of the Code of the Town of Lancaster, County of Erie, and State of New York, by the addition of Section 50-19 (B)(1)(o); and persons for and against such amendment have had an opportunity to be heard, and

WHEREAS, a Notice of Public Hearing was duly published and posted, and

WHEREAS, the Town Board, Town Attorney and Building Inspector have recommended the proposed amendment of the Code of the Town of Lancaster, County of Erie,

NOW, THEREFORE, BE IT

RESOLVED, that Section 50-19 (B)(1) of Chapter 50, Zoning of the Code of the Town of Lancaster, County of Erie and State of New York, is hereby amended to read as follows:

\$50-19. G.B. (General Business)(B)(1) shall be amended by
".
(o) Office building and offices"

and

BE IT FURTHER

RESOLVED, as follows:

1. That said amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on the 6th day of August, 1990;

2. That a certified copy of this amendment be published in the Lancaster Bee on August 9, 1990;

3. That a certified copy of this Amendment be posted on the Town Bulletin Board;

4. That Affidavits of Publication and Posting be filed with the Town Clerk.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA WAS ABSENT
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 6, 1990

25 X

32 X

**LEGAL NOTICE
NOTICE OF ADOPTION
AMENDMENT OF CHAPTER 50-ZONING
OF CODE OF TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN, that Chapter 50, Zoning, of the Code of the Town of the Town of Lancaster, shall be amended to read as follows:

CHAPTER 50, ZONING

Section 50-19 (B)(1) of Chapter 50, Zoning, of the Code of the Town of Lancaster shall be amended by adding thereto the following:

§50-19. G.B. (General Business)

B. (1)

(o) Office building and offices.

August 6, 1990

STATE OF NEW YORK:
COUNTY OF ERIE : ss:
TOWN OF LANCASTER:

This is to certify that I, ROBERT P. THILL, Town Clerk and Registrar of Vital Statistics of the TOWN OF LANCASTER in the said County of Erie, have compared the foregoing copy of ORDINANCE AMENDMENT with the original thereof filed in my office at Lancaster, New York, on the 6th day of August, 1990, and that the same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 6th day of August, 1990.

Robert P. Thill
Town Clerk and Registrar of Vital Statistics

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THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

WHEREAS, RENEE J. FISHER, 241 Schwartz Road, Lancaster, New York, the owner of real property located on the east side of Schwartz Road north of Hall Road, has made application for a Special Use Permit for a Beauty Salon within a single-family dwelling unit on premises locally known as 241 Schwartz Road in the Town of Lancaster, pursuant to the provisions of CHAPTER 50 - ZONING-Section 17 (F) of the Code of the Town of Lancaster;

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Chapter 50 - Zoning, Section 17 (F), entitled "Home Occupations" of the Code of the Town of Lancaster, a Public Hearing on the proposed Special Use Permit for a Beauty Salon will be held at the Town Hall, 21 Central Avenue, Lancaster, New York , on the 20th day of August, 1990, at 8:30 o'clock P.M., Local Time, and that Notice of the time and place of such hearing be published in the Lancaster Bee, a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board, and that a copy of such Notice of Hearing be referred to the Erie County Department of Planning, pursuant to Section 239(m) of the General Municipal Law, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	WAS ABSENT
COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN MILLER	VOTED YES
SUPERVISOR KEYSA	VOTED YES

The resolution was thereupon unanimously adopted.

August 6, 1990

32X1

**LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the authority set forth in CHAPTER 50 - ZONING, Section 17 (F), Home Occupations, of the Code of the Town of Lancaster and the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 6th day of August, 1990, the said Town Board will hold a Public Hearing on the 20th day of August, 1990 at 8:30 o'clock P.M. Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the application for a Special Use Permit for a Beauty Salon within a single-family dwelling on premises locally known as 241 Schwartz Road in the Town of Lancaster, County of Erie, State of New York.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE
TOWN OF LANCASTER

By: ROBERT P. THILL
Town Clerk

August 6, 1990

FILE: SP.USE.PERMIT.FISHER

25 X

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN MILLER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

WHEREAS, the Town Board has been informed that direct tie-in of lot drains to curb underdrain has caused concern over the potential for washout of pavement, and

WHEREAS, the Town Board has, by resolution, caused an amendment to the specifications standards for storm sewers relative to the lot drain tie-in, and

WHEREAS, the Supervisor of the Town of Lancaster has issued an emergency directive to the Building Inspector regarding a proscription against the tie-in of lot drains to curb underdrain in approved subdivisions where pavement and curb has been installed without meeting the new specification standards adopted by the Town Board;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby directs the Building Inspector to implement on a permanent basis the emergency directive made by the Town Supervisor.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA WAS ABSENT
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 6, 1990

File: R.AUTH.AMDMT.STNDRD.SPECS.

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has authorized a bond resolution for the rehabilitation of the wading pools at Keysa Town Park and Meadowlea Park, and

WHEREAS, DONALD GALLO, Consulting Engineer, has previously submitted a contract proposal for design engineering and general services for this project in the sum of \$16,100.00, by letter dated March 15, 1990, and

WHEREAS, the Town Board has authorized the Supervisor to enter into a contract with said Donald Gallo on the terms outlined on March 19, 1990, and

WHEREAS, Donald Gallo has now submitted a proposal dated July 23, 1990, for providing engineering services related to revising the Keysa Park Wading Pool plans to provide for one (1) handicapped restroom at the facility, for the sum of \$900.00, and

WHEREAS, after review of the proposed contract for revising the Keysa Park Wading Pool plans, the Town Board deems it in the public interest to contract with Donald Gallo to provide for said handicapped restroom,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to enter into a revised contract with DONALD GALLO, Consulting Engineer, engineering services related to revising the Keysa Park Wading Pool Plans to provide for one (1) handicapped restroom of the wading pools at Keysa Town Park for an amount of \$900.00.

32X1

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA WAS ABSENT

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 6, 1990

FILE: R.RET.ENGR.WDNG.POOLS..NO.3.RSTRM.

32X

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

At a regular meeting of the Town
Board of the Town of Lancaster, in
the County of Erie, New York, held
at the Town Hall, in said Town, on
the 6th day of August, 1990.

PRESENT:

Hon. Stanley Jay Keysa, Supervisor
Robert H. Giza Councilman
Donald E. Kwak Councilman
John T. Miller Councilman

ABSENT:

Ronald A. Czapla Councilman

In the Matter : ORDER CALLING
of the : PUBLIC HEARING

Consolidation of Water Districts No. 1, 2, 3, : August 20, , 1990
4, 5, 7, 8, Lancaster Master Water District
and all Extensions thereto, in the :
Town of Lancaster, in the County of Erie, New
York, pursuant to Section 206 of the Town Law. :

WHEREAS, the Town Board of the Town of Lancaster (herein
called "Town"), in the County of Erie, New York, proposes to
consolidate Water Districts No. 1, 2, 3, 4, 5, 7, 8, Lancaster
Master Water District and all Extensions thereto (the "Existing
Water Districts"), which water districts are wholly located
within the Town and were heretofore created by resolutions and
orders duly adopted by the Town Board on their respective dates,
into a single Consolidated Water District (the "Consolidated
Water District") which shall provide all the services which the
Existing Water Districts were providing or authorized to provide;
and

32X1

WHEREAS, upon consolidation, all the property of the Existing Water Districts shall become the property of the Consolidated Water District, and it is expressly understood that all of the existing indebtedness of each of the respective Existing Water Districts shall continue to be paid by each of such respective Existing Water Districts as if it had not been consolidated and there shall continue to be assessed, levied and collected upon the several lots and parcels of land within each of the respective Existing Water Districts, in the same manner as assessments have heretofore been levied within each of such Existing Water Districts, an amount sufficient to pay the principal of and interest on any bonds or other obligations outstanding and unpaid as of the date of such consolidation in each of the respective Existing Water Districts; and

WHEREAS, upon consolidation, all future costs of operation, maintenance and improvement shall be assessed, levied and collected upon the several lots and parcels of land within the Consolidated Water District which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same;

Now, therefore, be it

ORDERED, that a meeting of the Town Board of the Town be held at the Town Hall, 21 Central Avenue, Lancaster, New York in the Town, on the 20th day of August, 1990, at 8:00 o'clock P.M. (Prevailing Time) to consider the proposed consolidation of the Existing Water Districts and to hear all

32X1

persons interested in the subject thereof concerning the same and for such other action on the part of said Town Board with relation thereto as may be required by law; and be it

FURTHER ORDERED, that the Town Clerk publish at least once in the "LANCASTER BEE," a newspaper published in the City of Buffalo, New York, and hereby designated as the official newspaper of the Town for such publication, a copy of this Order certified by said Town Clerk the first publication thereof to be at least ten (10) days before the day designated herein for said public hearing as aforesaid.

DATED: AUGUST 6, 1990

TOWN BOARD OF THE TOWN OF LANCASTER

Supervisor

Councilman

Councilman

Councilman

Councilman

(SEAL)

Members of the Town Board of the
Town of Lancaster, New York

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA WAS ABSENT
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 6, 1990

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby
ordered paid from their respective accounts:

Claim No. 14745 to Claim No. 15063 Inclusive.

Total amount hereby authorized to be paid:

\$466,046.65

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA WAS ABSENT
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 6, 1990

File: R.CLAIMS

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER, TO WIT:

RESOLVED, that the following Building Permit Applications be and are hereby approved and the issuance of these Building Permits be and are hereby authorized:

CODES:

- (T) = Tree Planting Fee tendered to the Town of Lancaster pursuant to the provisions of Chapter 30-26 of the Code of the Town of Lancaster.
- (SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town of Lancaster.
- (CSW) = Conditional sidewalk waiver.

<u>NO.</u>	<u>CODE</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
443		Robert Deutschlander	470 Aurora St	DEMOLISH SIN. DWLG
444		Kenneth Gerlach	535 Aurora St	ER. GARAGE
445		Denise Dunlap	12 Greenmeadow Dr	ER. POOL
446		Jim Punaro	357 Westwood Rd	EX. SIN. DWLG
447 (T)		Frustino & McKay	12 Jenny Ln	ER. SIN. DWLG
448		Frank Weidman	389 Lake Ave	ER. SHED, FENCE
449		Jeanette Domanowski	5 C Street	ALTER PORCH
450		Robert Kleinfelder	15 Steinfeldt Rd	ER. SHED
451		Mrs. Dunning	20 Greenmeadow Dr	EX. DECK
452		Betty LaDelfa	5575 Genesee St	EX. SHED
453		Joe Basil Chevrolet	5111 Transit Rd	REPLACE EX. SIGN
454		NYNEX Mobile Comm. Co.	444 Schwartz Rd	ER. CELLULAR TEL. COMMUN. BLDG.
455		Dennis Jirus	33 Greenbriar Dr	ER. POOL
456		Greg Rosinski	15 Shadyside La	ER. DECK
457		Debbie Davern	282 Iroquois Ave	ER. SHED
458		Dennis Repetowski	16 Pineview La	ER. DECK
459		Majestic Pools	23 Fox Hunt Rd	ER. POOL
460		Ronald Hachten	40 Running Brook Dr	ER. DECK
461		Irene Krupka	3523 Walden Ave	REMOD. SIN. DWLG
462 (T)		Homes by Walter	1 Northbrook Ct	ER. SIN. DWLG
463 (T)		Kenneth Jarvis	20 Schilling Ct	ER. SIN. DWLG
464		Black Hat Chimney	23 Gale Dr	INSTALL FIREPLACE
464 A		M/M Anthony Kraska	171 Schwartz Rd	ER. POLE BARN
465		LPRC Inc	346 Harris Hill Rd	ER. SHED, GAZEBO

466	Valley Pools	16 Greenmeadow Dr	ER. POOL, FENCE
467	Kathryn Isham	73 Stony Rd	ALTER SIN.DWLG
468	Raymond Borowiak	25 Hemlock Ln	ER. SHED
469 (T)	All-Craft	6 Jenny Ln	ER. SIN. DWLG
470 (T)(SW)	All-Craft	1120 Townline Rd	ER. SIN. DWLG
471 (T)(SW)	Joseph Oleksy	3592 Bowen Rd	ER. SIN. DWLG
472	Decks Unlimited	16 Greenbriar Dr	ER. DECK
473	Kathleen Kranz	35 Deerpath Dr	ER. POOL
474 (T)	Iona Associates Inc	12 Southpoint Dr	ER. SIN. DWLG
475	Mark Schleicher	325 Ransom Rd	EX. GARAGE
476 (T)	Marrano Marc Equity	8 Pinetree Dr	ER. SIN. DWLG
477 (T)	Marrano Marc Equity	9 Hemlock Ln	ER. SIN. DWLG
478 (T)	Marrano Marc Equity	49 Hemlock Ln	ER. SIN. DWLG
479 (T)	Marrano Marc Equity	25 Pinetree Dr	ER. SIN. DWLG
480 (T)	Marrano Marc Equity	105 Pheasant Run	ER. SIN. DWLG
481 (T)	Donato Developers	12 Rose Hill Cir	ER. SIN. DWLG
482 (T)	Donato Developers	5 Rose Hill Cir	ER. SIN. DWLG
483 (T)	Donato Developers	16 Greenmeadow Dr	ER. SIN. DWLG

and,

BE IF FURTHER

RESOLVED, that Building Permit No. 283, issued to Centennial Homes Inc. 3879 Seneca Street, West Seneca, New York, to erect a single dwelling at 9 Running Brook Drive, Lancaster, New York, be and hereby is approved, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the condition that the Town of Lancaster, at any future date, has the right to order sidewalk installation at the expense of the property owner, and

BE IT FURTHER

RESOLVED, that Building Permit Application Nos. 434, 435, 436 and 438 of 1990, previously approved by the Town Board on July 16, 1990 for basements only, be and are hereby fully approved for full dwelling construction.

25X1

32X1

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA WAS ABSENT
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 6, 1990

File: R.BLDG (Pl-2)

15 X

32X

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Town of Lancaster must remove certain underground fuel storage tanks situate at the Town Center at 525 Pavement Road under regulations promulgated by the Department of Environmental Conservation of the State of New York, and

WHEREAS, the Town Board desires to advertise for public bid pursuant to the requirements of Section 103 of the General Municipal Law for the removal of these tanks;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster will advertise for public bid for the removal of certain underground fuel tanks located at the Town Center, 525 Pavement Road, Lancaster, New York, which bid shall be on a per tank basis, together with removal of contaminated soil, and that the said bids must be received in the office of the Town Clerk of the Town of Lancaster, at the Town Hall, 21 Central Avenue, Lancaster, New York, by 11:00 o'clock, A.M., Local Time, on August 31, 1990, in accordance with plans and specifications on file in the office of the Town Clerk, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA WAS ABSENT
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

AUGUST 6, 1990

FILE: R.NOT.BDKS.TNK.REMVL

25 X

32X1

LEGAL NOTICE
TOWN OF LANCASTER
NOTICE TO CONTRACTORS

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Lancaster, Erie County, New York, sealed proposals will be received, publicly opened, read aloud, and considered by the Town Board on Friday, August 31, 1990, at 11:00 o'clock A.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York 14086, for furnishing all materials, labor and equipment incidental to the removal of fuel storage tanks and associated piping, located at the Lancaster Town Center, 525 Pavement Road, Lancaster, New York.

Proposals will be received in accordance with Contract Documents and Specifications prepared by Krehbiel Associates, Inc. for the Town of Lancaster, a copy of which is on file with the Town Clerk at his office in the Town Hall, Lancaster, New York, where the same may be examined during the usual business hours.

Copies of the Contract Documents required for review or bidding purposes may be obtained at the offices of Krehbiel Associates, Inc., 1868 Niagara Falls Boulevard, Tonawanda, New York, upon deposit of \$25.00 for each set of documents so obtained. The full amount of the deposit for one set of documents and one-half of the deposit for any additional sets of documents will be refunded to each bidder who submits a formal proposal to the Town and who also returns the documents in good condition to the Engineer within thirty (30) days after his bid security has been returned to him. Equipment manufacturers, contractors, subcontractors and others who do not submit formal proposals to the Town will be refunded one-half of the amount of the deposit for all sets of complete documents returned in good condition to the Engineer within thirty (30) days after the opening of bids. No refund will be made for documents received after this thirty (30) day period.

Each proposal must be accompanied by a certified check, payable to the Town of Lancaster, or bid bond, having a surety amount not less than ten percentum (10%) of the amount of the base bid, conditioned that, if his proposal is accepted, he will enter further security as may be required for the faithful performance of this contract.

All bids shall be submitted, in sealed envelopes addressed to the Town of Lancaster, and shall be plainly marked on the outside with the Contractor's name and title of his bid.

12X

The attention of the bidders is further called to the requirements as to conditions of employment to be observed and minimum wage rates to be paid under the Contract.

The Owner reserves the right to reject any or all bids for failure to comply with the requirements of the Contract Documents but may, at its discretion, waive any informalities or irregularities.

The Owner further reserves the right to reject any or all bids or to award a contract, which in its judgment, is in the best interest of the Owner.

No Bidder may withdraw his bid within forty-five (45) days after opening thereof, but may withdraw same at any time prior to the opening thereof.

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: ROBERT P. THILL
Town Clerk

August 1990

32X

Councilman Kwak requested a suspension of the necessary rule for immediate consideration of the following resolution -
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK, WHO MOVED
ITS ADOPTION, SECONDED BY SUPERVISOR
KEYSA, TO WIT:

WHEREAS, Councilman Giza and Councilman Miller of the Town of Lancaster, have requested permission to attend the Association of Towns and Townships meeting in Washington, D.C., from September 5th through September 8th, 1990,

NOW, THEREFORE, BE IT

RESOLVED, that ROBERT GIZA AND JOHN MILLER, Councilmen of the Town of Lancaster, be and hereby are authorized to attend the Association of Towns and Townships meeting in Washington, D.C., from September 5th through September 8th, 1990, and

BE IT FURTHER

RESOLVED, that expense reimbursement be and is hereby authorized for all ordinary expenses, and

BE IT FURTHER

RESOLVED, that said reimbursement will be made only upon submission of a conference report from each of the councilman, proof of registration, and proper documentation and substantiation of expenses, including receipts, to the Accounting Department of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA WAS ABSENT
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 6, 1990

File: R.SEM.MTGS (P4)

32X1

STATUS REPORT ON UNFINISHED BUSINESS:

1. Detention Basin - Milton Drive
On June 6, 1988, The Town Engineer was directed to expedite this project.
2. Dumping Permit - Jerry Bielli
On July 9, 1990, this matter was referred to the Town Engineer and Building Inspector for review and recommendation.
3. Dumping Permit - Walter Mikowski
On March 14, 1990, this matter was referred to the Town Engineer and Building Inspector for review and recommendation.
4. Dumping Permit - New Creation Fellowship
This matter is presently before the Town Board Drainage Committee for study.
5. Dumping Permit - Glenn Schilling
On April 16, 1990, this matter was referred to the Town Engineer and Building Inspector for review and recommendation.
6. Public Improvement Permit Authorization - Deer Cross Subdivision (Donato)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	No	No	No
Pavement and Curbs	No	No	No
Storm Sewers	Yes	No	No
Street Lights	No	No	No
Sidewalks	No	n/a	n/a
Detention Basin	Yes	No	No
Floodway	No	No	No

7. Public Improvement Permit Authorization - Forestream Village Subdivision, Phase I (DiLapo)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	Yes	Yes
Pavement	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	No
Sidewalks	Yes	n/a	n/a
Curbs	Yes	Yes	Yes
Floodway Grading	Yes	No	No

8. Public Improvement Permit Authorization - Forestream Village Subdivision, Phase II (DiLapo)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	No	No	No
Sidewalks	No	n/a	n/a
Floodway (S. Branch)	Yes	No	No
East Culvert (S. Branch)	Yes	Yes	Yes

9. Public Improvement Permit Authorization - Indian Pine Village Subdivision (Fischione Const., Inc.)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	n/a
Sidewalks	Yes	n/a	n/a
Detention Basin	Yes	No	No
Floodway	Yes	No	No

25 X1

32X1

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D.)10. Public Improvement Permit Authorization - Lake Forest Subdivision (Dana Warman)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	No	No
Pavement and Curbs	Yes	No	No
Storm Sewers	Yes	No	No
Street Lights	No	No	No
Sidewalks	No	n/a	n/a
Detention Basin	Yes	No	No

11. Public Improvement Permit Authorization - Meadowland Subdivision (Bosse)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	No	No
Pavement and Curbs	Yes	No	No
Storm Sewers	Yes	No	No
Street Lights	No	No	No
Sidewalks	No	n/a	n/a
Detention Basin	Yes	No	No

12. Public Improvement Permit Authorization - The Meadows Subdivision (Giallanza)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	n/a
Sidewalks	Yes	n/a	n/a
Detention Basin	n/a	n/a	n/a

13. Public Improvement Permit Authorization - Pine Tree Farm, Phase I (Josela - East off Aurora Street)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline (Transmission)	Yes	Yes	Yes
Waterline (Hydrants)	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	No
Sidewalks	Yes	n/a	n/a
Detention Basin	Yes	No	No

14. Public Improvement Permit Authorization - Pine Tree Farm, Phase II (Josela - East off Aurora Street)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	No
Sidewalks	Yes	n/a	n/a
Detention Basin	n/a	n/a	n/a

15. Public Improvement Permit Authorization - Stony Brook, Phase I (Stephens)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	No	No
Pavement & Curbs	Yes	No	No
Storm Sewers	Yes	No	No
Street Lights	No	No	No
Sidewalks	No	n/a	n/a
Detention Area 1	Yes	No	No
Detention Area 2	Yes	No	No

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D.)16. Public Improvement Permit Authorization - Plumb Estates (Galasso)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	Yes	n/a
Sidewalks	Yes	n/a	n/a
Detention Basin	Yes	No	No

17. Public Improvement Permit Authorization - Southpoint Subdivision, Phase I (Josela)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	No	No
Pavement and Curbs	Yes	No	No
Storm Sewers	Yes	No	No
Street Lights	No	No	n/a
Sidewalks	No	n/a	n/a
E. Detention Pond	Yes	No	No
W. Detention Pond	Yes	No	No

18. Public Improvement Permit Authorization - Southpoint Subdivision, Phase II (Josela)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	No	No
Pavement and Curbs	No	No	No
Storm Sewers	Yes	No	No
Street Lights	No	No	No
Sidewalks	No	n/a	n/a
Detention Basin	No	No	No
Floodway	No	No	No

19. Public Improvement Permit Authorization - Southpoint Subdivision, Water Interconnection Line with Forestream (Josela)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	No	No

20. Public Improvement Permit Authorization - Warnerview Estates, Phase I (Donato)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	n/a
Sidewalks	Yes	n/a	n/a
Detention Basin	Yes	No	N

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D.)21. Public Improvement Permit Authorization - Warnerview Estates, Phase II (Donato)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	n/a
Sidewalks	Yes	n/a	n/a
Detention Basin	n/a	n/a	n/a

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D.)22. Public Improvement Permit Authorization - Willow Ridge Subdivision
(Cimato Bros.)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	No	No
Pavement and Curbs	Yes	No	No
Storm Sewers	Yes	No	No
Street Lights	No	No	n/a
Sidewalks	No	n/a	n/a
Detention Pond	Yes	No	N

23. Public Improvement Permit Authorization - Windsor Ridge Subdivision,
Phase I (M. J. Peterson)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	No	No
Pavement and Curbs	No	No	No
Storm Sewers	Yes	No	No
Street Lights	No	No	n/a
Sidewalks	No	n/a	n/a
Detention Pond	Yes	No	N

24. Rezone Petition - Adrian J. Andrusz

On May 21, 1990, the Town Board held a SEQR hearing on this matter and tabled its decision pending receipt of additional data from the petitioner. On June 4, 1990, the Town Board held a public hearing on this matter and reserved decision. Next step SEQR Review.

25. Rezone Petition - Bhagwanji/Nalini Kunvarji (West of 130 Maple Road)

On June 25, 1990, this matter was referred to the Planning Board for review and recommendation. On August 1, 1990, the Planning Board failed to reach a consensus on this matter and returned it to the Town Board without recommendation.

26. Rezone Petition - Lancastershire, Inc. (Broadway near Lancaster Country Club)

On June 4, 1990, the Town Board held a public hearing on this matter and reserved decision. Next step SEQR Review. On July 9, 1990, the Town Board adopted a SEQR Negative Declaration on this matter.

27. Rezone Petition - Marinaccio Concrete and Trucking (Ransom Road)

On July 16, 1990, the Town Board set a Public Hearing on this for August 6, 1990. On August 6, 1990, the Town Board held a public hearing on this matter and reserved decision.

28. Rezone Petition - McGuire Group (Wehrle Drive)

On May 7, 1990, the Town Board held a public hearing on this matter and reserved decision. On May 21, 1990, the Town Board held a SEQR hearing on this matter and tabled its decision pending receipt of additional data from the petitioner.

29. Rezone Petition - Keith A. Wilkinson, Sr.

On December 18, 1989, the Town Board held a public hearing on this matter and reserved decision. On March 19, 1990, the Town Board held a SEQR hearing on this matter and tabled their decision pending receipt of additional data from the petitioner. On August 6, 1990, the town Board approved this rezone petition. The Town Clerk was directed to remove this item from future Town Board agendas.

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32 X1

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D.)

30. Special Use Permit - Renee J. Fisher
On June 13, 1990, this matter was referred to the Planning Board for review and recommendation. On August 6, 1990, the Town Board set a public hearing on this matter for August 20, 1990.
31. State Contract Grant - 40 Clark Street Museum.
Application for grant has been filed.
32. Subdivision Approval - Bowen Road Square (Off Bowen Road)
This matter awaits formal filing with the Town Clerk. No engineering review fee has been received.
33. Subdivision Approval - The Crossings (Off Erie St.)
On June 5, 1989, the developer tendered to the Town Clerk a subdivision filing fee of \$590.00. Review of this subdivision is on hold pending determination of a conceptual north/south beltway right-of-way from Broadway to the New York State Thruway.
34. Subdivision Approval - East Brook Estates (Off Bowen Road)
This matter awaits formal filing with the Town Clerk. No engineering review fee has been received.
35. Subdivision Approval - Hidden Hollow (Off Green Meadow Drive)
This matter awaits formal filing with the Town Clerk. No engineering review fee has been received. On March 21, 1990, the Planning Board voted preliminary approval. On May 7, 1990, the Town Board adopted a SEQOR negative declaration on this matter.
36. Subdivision Approval - Hillview Estates (Off Pleasant View Drive)
This matter awaits formal filing with the Town Clerk. No engineering review fee has been received. On March 21, 1990, the Planning Board voted preliminary approval. On May 7, 1990, the Town Board adopted a SEQOR negative declaration on this matter.
37. Subdivision Approval - Lake Forest South (Off Lake Avenue)
On January 27, 1989, the developer tendered to the Town Clerk a subdivision filing fee of \$250.00. On December 18, 1989, a SEQOR Negative Declaration was adopted. On February 5, 1990, the Town Engineer recommended conditional approval of this project. On December 16, 1989, the Planning Board recommended approval of this project.
38. Subdivision Approval - Parkridge (Off William Street)
This matter awaits formal filing with the Town Clerk. No engineering review fee has been received.
39. Subdivision Approval - Thruway Industrial Park (Off Gunville Rd.)
On October 4, 1989, the Planning Board approved the site plan for this subdivision. On October 13, 1989, the developer tendered to the Town Clerk a subdivision filing fee of \$415.00. On August 6, 1990, the Town Board adopted a SEQOR negative declaration on this matter.

25 X

32 X

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D.)

40. Subdivision Approval - West Warner Estates (Ogiony - Off Warner Road)
On April 26, 1990, the developer tendered to the Town Clerk a subdivision filing fee of \$400.00. On March 21, 1990, the Planning Board voted preliminary approval. On August 6, 1990, the Town Board adopted a SEQR negative declaration on this matter.
41. Subdivision Approval - Willow Ridge (Off Aurora)
On August 7, 1989, a SEQR negative declaration was adopted. On August 10, 1989, the developer tendered to the Town Clerk a subdivision filing fee of \$540.00. On February 22, 1990, the Planning Board recommended preliminary approval of this subdivision. On July 16, 1990, the Town Board approved the filing of a map cover for this subdivision subject to various conditions. On July 18, 1990, this plat was filed in the Erie County Clerk's Office under Map Cover No. 2578. The Town Clerk was directed to remove this item from future Town Board agendas.
42. Subdivision Approval - Woodgate (Josela - Off Aurora St.)
On August 1, 1989, the developer tendered to the Town Clerk a subdivision filing fee of \$1350.00. On November 20, 1989 a SEQR negative declaration was adopted.
43. Traffic Survey - No Passing Zone - Walden Avenue at Enterprise Drive-Ward Road Area
On May 8, 1990, the Town Clerk requested the New York State DOT to establish a no passing zone in this area. On July 16, 1990, the Town Clerk reported that the NYSDOT will establish this as a "no passing" zone. The Town Clerk was directed to remove this item from future Town Board agendas.
44. Traffic Survey - Traffic Signal - Walden Avenue at Town Line Road
On July 2, 1990, Chief Fowler was requested to look into this matter.

PERSONS ADDRESSING THE TOWN BOARD:

Gloria Kubicki, 15 Maple Drive, spoke to the Town Board of her concerns relative to the granting of a rezone petition to Keith Wilkinson which action would allow the construction of townhouses on property adjacent to her property.

Rosemary White, 14 Redlein Drive, asked for a status report on public improvements being installed in the Meadowland Subdivision.

Robert Zichittella, 53 Country Place, spoke to the Town Board about drainage concerns on his property.

Joseph Juszak, 600 Pleasant View Drive, informed the Town Board that a disputed retaining wall built by his neighbor was built in 1983 when Robert Laney was Building Inspector, not earlier when William Dougherty was Building Inspector.

COMMUNICATIONS**DISPOSITION**

793. Planning Board to Town Board - Minutes of Meeting #13 - June 20, 1990.	R & F
794. Planning Board Chairman to Town Board - Re: Special Use Permit for R. Fisher for home beauty salon at 241 Schwartz Rd.	R & F
795. Planning Board Chairman to Town Board - Re: Meadow Wood Townhouses (Transit Rd.)	TOWN CLERK TOWN ATTORNEY
796. Highway Superintendent to Supervisor - Highway Gas Fuel Tank.	R & F
797. Library Board to Cultural Education Center - Status of the public library & information services for productivity and economy in NYS.	R & F
798. Supervisor to Occupational Health & Training Consultant - Re: Lancaster Town Hall.	R & F
799. Supervisor to NYSDOT - Re: Cemetery Road Bridge over Conrail.	TOWN ATTORNEY
800. LVAC to Supervisor - New ambulance specifications.	PUBLIC SAFETY COMMITTEE
801. HAZ-MAT Team to Supervisor - Re: Accident fatality on July 3, 1990.	R & F
802. Erie County Health Dept. to Supervisor - Re: Approval of completed works Southpoint Subdivision.	R & F
803. Krehbiel Associates to Town Board - Hidden Hollow and Hillview Estates Subdivision	R & F
804. Krehbiel Associates to Town Board - West Warner Subdivision.	R & F
805. Como Park Blvd. Residents to Town Board - Petition opposing the construction of a four lane highway on Como Park Blvd.	R & F
806. Town Line Volunteer Fire Co. to Town Board - New application to fire department.	TOWN CLERK
807. Building Inspector to Town Board - Request for portable radio & charger for Fire Inspector.	BUILDING INSPECTOR TO ORDER
808. Lawley Service to Town Clerk - Re: New York State Disability Benefits.	INSURANCE COMMITTEE
809. Town Clerk to Zoning Board Members - Transmittal regarding Variance Petitions.	R & F
810. Youth Bureau Director to Supervisor - Compensation to B. Smith for conducting the Youth Bureau Production.	R & F
811. Supervisor to Como Park Blvd. Resident - Re: Como Park Blvd. Reconstruction.	R & F
812. Town Clerk to D. Brown - Budget changes for Records Management Budget.	R & F
813. Supervisor to Deputy Commissioner Highway - Concerns regarding dangerous situation at the entrance to Belltower Condominium Complex.	R & F
814. NYS Dept. of Environmental Conservation - Proposed Larkspur Acres Subdivision.	SEQR FILE

25 X1

32 X1

COMMUNICATIONS CONT'D.DISPOSITION

815. Supervisor to Highway Superintendent - Re: South Maple Road.	R & F
816. Transportation Supervisor, Lancaster High School to Supervisor - Calculations regarding the Motor Fuel Usage Contract Section #8.	R & F
817. Depew Lancaster & Western RR Co. to Supervisor - Invitation to DL&W railroad's ride on 8/17/90.	R & F
818. Receiver of Taxers to Town Board - Final report of 1990 County & Town Tax Collection.	R & F
819. State Comptroller to Town Clerk - Directives re: order establishing Lancaster Master Water District.	R & F
820. Pratt & Huth to Town Clerk - Request withdrawal of Larkspur Acres rezone from the agenda of the SEQR hearings scheduled for 8/6/90.	TOWN ATTORNEY
821. Town Clerk to Media - Notice of SEQR meeting to be held 8/6/90.	R & F
822. Town Attorney to John Nasca, Esq. - Comments re: topsoil removal - The Meadows Subdivision.	R & F
823. Town Attorney to NYS Off. of Park, Recreation and Historic Preservation - Request status of funding for Historical Museum.	R & F
824. Town Attorney to Lancaster Library Director - Advisement re: fire emergency procedure.	BUILDING INSPECTOR
825. Supervisor to Building Inspector - Directive re: building permit applications - curb under-drain tie-in.	R & F
826. Working Crew Chief to Town Board - Recommendation to have Paul DeBergalis appointed to permanent status.	TOWN CLERK FOR RESOLUTION 8/20/90
827. County Div. of Highways to Supervisor - Designation of Como Park Blvd. as restricted highway from 7/30/90 to 8/91.	R & F
828. NECSWMB to Members - Minutes from meeting held 6/21/90.	R & F
829. NECSWMB to Members - Minutes from meeting held 7/17/90.	R & F
830. NYSDOT to Supervisor - Comments re: Pavement Rd. Bridge Project.	R & F
831. Don Gallo to Councilman Kwak - Proposal for services related to Keysa Park Wading Pool modifications.	R & F
832. Town Engineers to Town Board - Recommendations re: drainage problems at west end of Greenbriar Dr.	R & F
833. Mrs. Jean Job to Town Board - Expression of thanks for planting of shrubs on Central Ave.	R & F

25 X1

32 X1

COMMUNICATIONS CONT'D.DISPOSITION

834. County Dept. of Finance to Consortium Members - Transmittal of data re: The Real Property Information System Consortium.	R & F
835. State Comptroller to Supervisor - Accounting release alert retirement contribu- tions and distribution of state aid to localities.	R & F
836. Supervisor to Elizabeth Mancuso, 18 Maple Dr. - Comments re: drainage ditch.	R & F
837. LOVELL Safety Mgt.Co. to Supervisor - Comments re: Comprehensive Workers' Compensation Bill passed on 7/2/90.	R & F
838. NYSDEC to Supervisor - Notice of Complete Application Transmittal of Fox Valley Country Club.	R & F
839. Donald Gallo to Councilman Kwak - Proposal re: Twin District rest room and storage building project.	R & F
840. Belmont Shelter Corp. to Supervisor - Comments re: site plan submittal for proposed HUD 202 Sr. Housing -5818 Broadway.	R & F
841. ECDEP to Supervisor - Results of SEQOR referral review re: Larkspur Acres Subdivision.	SEQOR FILE
842. Town Clerk to Supervisor - Monthly report for July 1990.	R & F
843. NYSDEC Div. of Regulatory Affairs to Town Board - Confirmation of filing of Negative Declaration re: Fox Valley Country Club.	R & F
844. Supervisor to Pres., Board of Directors, LVAC - Request endorsement of proposed specs for new ambulance by Board of Directors.	R & F
845. Lovell Safety Mgt. Co. to Supervisor - Quarterly accident report for 4/1-7/1/90.	R & F
846. Nussbaumer & Clarke, Inc. to Supervisor - Proposal re: Town buildings.	ATTORNEY FOR RESOLUTION
847. Recreation Commission to Town Board - Minutes from meeting held 7/21/90.	R & F
848. Pratt & Huth Associates to TOWN CLERK - Transmittal of linens for Hillview Estates Subdivision.	TOWN ATTORNEY
849. Pratt & Huth Associates to TOWN CLERK - Transmittal of linens for Deer Cross Subdivision.	TOWN ATTORNEY
850. Joseph Nasca to Town Board - Comments re: topsoil needs in The Meadows Subdivision.	R & F
851. NYSDEC to Supervisor - Comments and recommendations re: wildlife habitat values of the proposed Woodgate Subdivision site.	PLANNING COMMITTEE

25 X1

32 X1

COMMUNICATIONS CONT'D.

DISPOSITION

Supervisor Keysa requested a suspension of the necessary rule for immediate consideration of the following communications -
SUSPENSION GRANTED.

852. Town Attorney to County Hghy. Com. Gugino - Ditch/Sidewalk condition, Penora St., Lanc. NY.	<u>R & F</u>
853. Planning Board Chairman to Town Board - Econolodge rezone - Maple Rd.	<u>TOWN ATTORNEY FOR</u> <u>PUBLIC HEARING</u>

ADJOURNMENT

ON MOTION OF COUNCILMAN KWAK, AND SECONDED BY THE ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 10:30 P.M.

SIGNED

Robert P. Thill

ROBERT P. THILL, TOWN CLERK

32X1